HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.10812 of 2006

Date: 8-6-2006

Between:

Sri Kanaka Mahalaxmi Economically
Backward Class Welfare Services Society,
(Regd.No.1578/2004), represented by its
Secretary Sri B.Sanyasi Rao s/o.
Late Simhachalam, Salipet,
Pedagadili, Visakhapatnam. .. Petitioner

And

1. The Greater Visakhapatnam,
represented by its Municipal
Commissioner, Visakhapatnam.
2. The Mandal Revenue Officer,
Chinagadili, Visakhapatnam
Rural Mandal, Visakhapatnam. ..
Respondents

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W.P.No.10812 of 2006

ORDER:

Heard both the Counsel.

The Writ Petition is filed praying for an order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents in proposing to demolish the petitioner's society member huts situated in Sy.No.58 in an extent of Ac.0-70 cents of land of Salipeta, Pedagaidili village, Visakhapatnam Rural as arbitrary, bad and illegal and violative of Article 14 of the Constitution of India and consequently stop the high handed action and direct the respondents to issue notice to the members of the petitioner society and provide alternative land in the interest of justice.

Several facts had been narrated in the affidavit filed in support of the W.P. It is stated by the respondents that the petitioners are not the owners, but they are only encroachers.

It is needless to say that the respondents are expected to follow the procedure before proposing to demolish the huts of the members of the petitioner society.

Hence the Writ Petition is disposed of with a direction to the respondents not to carry out any demolition activity except by following the process of law. No order as to costs.

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Justice P.S. Narayana

Date : 8-6-2006
Note: Furnish copy in two days.
AM